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GOVERNMENT GAZETTE

BOLETIM OFICIAL

Government Press

Notice

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GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

OSD/RRVS/47/66

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of Home Affairs' Notification No. F.1/29/68-GP dated 29th June, 1968, the Administrator of Goa, Daman and Diu is pleased to make the following rules amending the Goa Government, Directorate of Agriculture, Class I (Gazetted) posts recruitment rules issued under Notification of even number dated 26th November, 1968 and published in Government Gazette Series I, No. 42 dated 16th January, 1969 namely:—

1. *Short Title and Commencement:*

(i) These rules may be called the Goa Government, Directorate of Agriculture Class I (Gazetted) posts Recruitment (First Amendment) Rules, 1970.

(ii) They shall come into force at once.

2. In the Schedule attached to the said Notification, against the post of Entomologist appearing at Serial No. 3, for the existing entry in column 6 substitute:—

“35 years and below (Relaxable for Government servants)”.

By order and in the name of the Administrator of Goa, Daman and Diu.

D. V. Sawant, Under Secretary (Appointments).

Panaji, 12th February, 1970.

Finance (Revenue) Department

Notification

Fin(Rev)/2-36/LAQ/1960/69

In exercise of the powers conferred by the proviso to section 8 of the Goa, Daman and Diu Sales Tax Act, 1964 (No. 4 of 1964) the Administrator of Goa, Daman and Diu hereby amends with effect from 1st April, 1970 the notification No. F.S/F.III/2-36/64 dated 23rd October, 1964 by substituting the item (d) thereof by the following portion:

“(d) Country liquor”.

By order and in the name of the Administrator of Goa, Daman and Diu.

Puran Singh, Finance Secretary.

Panaji, 9th March, 1970.

Law and Judicial Department

Notification

LD/2-4/70

The following Act passed by the Legislative Assembly of Goa, Daman and Diu which received

the assent of the President of India on 20th February, 1970 is hereby published for general information of the public.

M. S. Borkar, Under Secretary.

Panaji, 3rd March, 1970.

**The Goa, Daman and Diu (Judicial Commissioner's Court)
Regulation (Amendment) Act, 1969**

(Act No. 2 of 1970)

An Act further to amend the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation 1963.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twentieth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation (Amendment) Act, 1969.

2. Amendment of section 19.—In the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963, section 19 shall be re-numbered as sub-section (1) of that section and after sub-section (1) as so re-numbered, the following sub-section shall be inserted, namely:—

“(2) Notwithstanding anything to the contrary contained in sub-section (1), the Administrator may, after consultation with the Judicial Commissioner, direct by notification in the Official Gazette, that from such date as may be specified in the said notification the language of the subordinate courts shall be English or such one or more of the languages in use in Goa, Daman and Diu as may be so specified and different languages may be specified in respect of subordinate courts in different areas of Goa, Daman and Diu.”.

Notification

LD/2/N-87/70

The Oaths Act, 1969 which was recently passed by the Parliament and assented to by the President of India on 26th December, 1969 is hereby published for general information of public.

M. S. Borkar, Under Secretary.

Panaji, 17th February, 1970.

The Oaths Act, 1969

AN
ACT

to consolidate and amend the law relating to judicial oath and for certain other purposes.

Be it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

1. Short title and extent.—(1) This Act may be called the Oaths Act, 1969.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. Saving of certain oaths and affirmations.—Nothing in this Act shall apply to proceedings before

courts martial or to oaths, affirmations or declarations prescribed by the Central Government with respect to members of the Armed Forces of the Union.

3. Power to administer oaths.—(1) The following courts and persons shall have power to administer, by themselves or, subject to the provisions of sub-section (2) of section 6, by an officer empowered by them in this behalf, oaths and affirmations in discharge of the duties imposed or in exercise of the powers conferred upon them by law, namely:—

(a) all courts and persons having by law or consent of parties authority to receive evidence;

(b) the commanding officer of any military, naval, or air force station or ship occupied by the Armed Forces of the Union, provided that the oath or affirmation is administered within the limits of the station.

(2) Without prejudice to the powers conferred by sub-section (1) or by or under any other law for the time being in force, any court, Judge, Magistrate or person may administer oaths and affirmations for the purpose of affidavits, if empowered in this behalf—

(a) by the High Court, in respect of affidavits for the purpose of judicial proceedings; or

(b) by the State Government, in respect of other affidavits.

4. Oaths or affirmations to be made by witnesses, interpreters and jurors.—(1) Oaths or affirmations shall be made by the following persons, namely:—

(a) all witnesses, that is to say, all persons who may lawfully be examined, or give, or be required to give, evidence by or before any court or person having by law or consent of parties authority to examine such persons or to receive evidence;

(b) interpreters of questions put to, and evidence given by, witnesses; and

(c) jurors:

Provided that where the witness is a child under twelve years of age, and the court or person having authority to examine such witness is of opinion that, though the witness understands the duty of speaking the truth, he does not understand the nature of an oath or affirmation, the foregoing provisions of this section and the provisions of section 5 shall not apply to such witness; but in any such case the absence of an oath or affirmation shall not render inadmissible any evidence given by such witness nor affect the obligation of the witness to state the truth.

(2) Nothing in this section shall render it lawful to administer, in a criminal proceeding, an oath or affirmation to the accused person, unless he is examined as a witness for the defence, or necessary to administer to the official interpreter of any court, after he has entered on the execution of the duties of his office, an oath or affirmation that he will faithfully discharge those duties.

5. Affirmation by persons desiring to affirm.—A witness, interpreter or juror may, instead of making an oath, make an affirmation.

6. Forms of oaths and affirmations.—(1) All oaths and affirmations made under section 4 shall be

administered according to such one of the forms given in the Schedule as may be appropriate to the circumstances of the case:

Provided that if a witness in any judicial proceeding desires to give evidence on oath or solemn affirmation in any form common amongst, or held binding by, persons of the class to which he belongs, and not repugnant to justice or decency, and not purporting to affect any third person, the court may, if it thinks fit, notwithstanding anything hereinbefore contained, allow him to give evidence on such oath or affirmation.

(2) All such oaths and affirmations shall, in the case of all courts other than the Supreme Court and the High Courts, be administered by the presiding officer of the court himself, or, in the case of a Bench of Judges or Magistrates, by any one of the Judges or Magistrates, as the case may be.

7. Proceedings and evidence not invalidated by omission of oath or irregularity.—No omission to take any oath or make any affirmation, no substitution of any one for any other of them, and no irregularity whatever in the administration of any oath or affirmation or in the form in which it is administered, shall invalidate any proceeding or render inadmissible any evidence whatever, in or in respect of which such omission, substitution or irregularity took place, or shall affect the obligation of a witness to state the truth.

8. Persons giving evidence bound to state the truth.—Every person giving evidence on any subject before any court or person hereby authorised to administer oaths and affirmations shall be bound to state the truth on such subject.

9. Repeal and saving.—(1) The Indian Oaths Act, 1873, is hereby repealed. 10 of 1873

(2) Where, in any proceeding pending at the commencement of this Act, the parties have agreed to be bound by any such oath or affirmation as is specified in section 8 of the said Act, then, notwithstanding the repeal of the said Act, the provisions of sections 9 to 12 of the said Act shall continue to apply in relation to such agreement as if this Act had not been passed.

THE SCHEDULE

(See section 6)

Forms of Oaths or Affirmation

Form No. 1 (Witnesses):—

I do swear in the name of God that what I shall solemnly affirm state shall be the truth, the whole truth and nothing but the truth.

Form No. 2 (Jurors):—

I do swear in the name of God that I will well and truly try and true deliverance make between the State and the prisoner (s) at the bar, whom I shall have in charge, and a true verdict give according to the evidence.

Form No. 3 (Interpreters):—

I do swear in the name of God that I will well solemnly affirm

and truly interpret and explain all questions put to and evidence given by witnesses and translate correctly and accurately all documents given to me for translation.

Form No. 4 (Affidavits):—

I do swear in the name of God that this is my solemnly affirm name and signature (or mark) and that the contents of this my affidavit are true.

Legislative Assembly of Goa, Daman and Diu

Legislature Department

LA/A/7/512/70

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on the 9th March 1970 is hereby publish for general information in pursuance of the provisions of rule 127 of the Rules of procedure and Conduct of Business of the Legislative Assembly.

The Court Fees (First Goa, Daman and Diu Amendment) Bill, 1970

(Bill No. 8 of 1970)

A Bill to amend the Schedule I annexed to the Court Fees Act, 1870 in its application to the Union territory of Goa, Daman and Diu.

Be it enacted by the Legislative Assembly of the Goa, Daman and Diu in the Twenty First Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Court Fees (First Goa, Daman and Diu Amendment) Act, 1970.

(2) It extends to the whole of the Union territory of Goa, Daman and Diu.

(3) It shall come into force on such date as the Government of Goa, Daman and Diu may, by notification in the Official Gazette, appoint.

2. *Insertion of number 2A in Schedule I.*—After number 2 of Schedule I of the Court Fees Act, 1870 the following number shall be inserted:—

Number	Proper Fee
"2—A Application to the Collector for a reference to the Court under section 18 of the Land Acquisition Act, 1894.	A fee on the difference between the amount awarded by the Collector and the amount claimed by the applicant according to the scale prescribed under No. 1 of Schedule I."

Financial Memorandum

No financial commitment is involved in this Bill.

Statement of Objects and Reasons

In the Court Fees Act, 1870 enforced in this Union territory there is no provision to charge Court Fee on the applications to the Collector for a reference to the Court under Section 18 of the Land Acquisition Act, 1894.

The object of this Bill is to incorporate in the Schedule I of the Court Fees Act, 1870 an article charging the said applications with Court Fee.

Panaji,
19th February, 1970.

D. B. BANDODKAR
Chief Minister

Assembly Hall,
Panaji,
5th March, 1970.

O. P. GARG
Secretary to the Legislative
Assembly of Goa, Daman and Diu.

Administrator's recommendation under section 23 of the Goa, Daman and Diu Union Territories Act, 1963.

In pursuance of clause (a) of sub-section (1) of Section 23 of the Government of Union Territories Act, 1963, I, Nakul Sen, Administrator of the Union territory of Goa, Daman and Diu hereby recommend the introduction and consideration of the Court Fees (First Goa, Daman and Diu Amendment) Bill, 1970 in the Legislative Assembly.

LA/A/7/513/70

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on the 9th March 1970 is hereby published for general information in pursuance of the provisions of rule 127 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

THE GOA, DAMAN AND DIU SUPPLEMENTARY APPROPRIATION BILL, 1970

(Bill No. 9 of 1970)

A BILL to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the services and purposes of the financial year 1969-70.

BE it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty First Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Goa, Daman and Diu Supplementary Appropriation Act, 1970.

2. **Issue of Rs. 1,26,87,600 out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the financial year 1969-70.**—From and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu there may be paid and applied sums not exceeding those specified in column 5 of the Schedule amounting in the aggregate to the sum one crore, twenty six lakhs eighty seven thousand and six hundred rupees towards defraying the several charges which will come in course of payment during the financial year 1969-70 in respect of the services and purposes specified in column 2 of the Schedule.

3. **Appropriation.**—The sums authorised to be paid and applied from and out of the Consolidated Fund of the Union territory of Goa, Daman and

Diu, by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See Sections 2 & 3)

No. of Vote	Services and purposes	Voted by Assembly	Sums not exceeding		Total
			Charged on the Consolidated Fund of the Union territory of Goa, Daman and Diu		
1	2	3	4	5	
		Rs.	Rs.	Rs.	
2.	State Excise Duties	1,00,000	100	1,00,100	
—	Interest on Debt and Other Obligations	—	41,99,000	41,99,000	
9.	General Administration ...	2,25,400	72,000	2,97,400	
11.	Jails ...	67,000	—	67,000	
12.	Police ...	11,69,000	600	11,69,600	
15.	Education ...	10,56,100	—	10,56,100	
16.	Medical ...	6,42,800	200	6,43,000	
17.	Public Health ...	100	—	100	
19.	Animal Husbandry	1,86,200	—	1,86,200	
21.	Industries ...	100	—	100	
22.	Community Development Projects, National Extension Service and Local Development Works ...	9,50,000	—	9,50,000	
24.	Miscellaneous Social and Developmental Organisations	2,44,900	—	2,44,900	
27.	Public Works ...	11,33,000	—	11,33,000	
31.	Pensions and Other Retirement Benefits ...	32,000	—	32,000	
33.	Forest ...	65,000	—	65,000	
34.	Miscellaneous ...	100	—	100	
36.	Capital Outlay on Improvement of Public Health ...	10,00,000	—	10,00,000	
41.	Capital Outlay on Public Works ...	8,00,000	—	8,00,000	
—	Public Debt ...	—	2,000	2,000	
47.	Loans and Advances by the Union Territory Government ...	7,42,000	—	7,42,000	
TOTAL ...		84,13,700	42,73,900	1,26,87,600	

Financial memorandum

Provision is made in the Bill to appropriate for certain services and purposes expressed in the Schedule during the financial year ending 31st March, 1970, a sum of Rs. 1,26,87,600 over and above the amounts granted for those services for the financial year 1969-70. The amount mentioned above consists of Rs. 1,01,43,600 on Revenue Account and Rs. 25,44,000 on Capital Account including repayment of loans. This also includes amounts to be reimbursed to the Contingency Fund of this Union territory towards advances made from that Fund.

Statement of objects and reasons

This Bill is introduced in pursuance of section 29(1) of the Government of Union Territories Act, 1963, to provide for the Supplementary Appropriation out of the Consolidated Fund of the Union territory of Goa, Daman and Diu of the moneys required to meet the amounts required on certain services during the financial year, 1969-70 in excess of the amounts granted for those services.

Panaji,

DAYANAND B. BANDODKAR

9th March, 1970.

Chief Minister

Legislative Assembly of Goa, Daman and Diu

A

BILL

To give effect to the financial proposal of the Government of Goa, Daman and Diu, for the financial year 1969-70.

The Administrator has, in pursuance of sub-section (1) of Section 23 of the Government of Union Territories Act, 1963, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

O. P. GARG

Secretary, Legislature Department

Industries and Power Department

Notification

19-3-69-IPD

The following draft rules which are proposed to be framed under the Goa, Daman and Diu State-Aid to Industries Act, 1965, are hereby prepublished as required by sub-section, (3) of section 7 of the said Act. The draft rules will be taken into consideration after a period of thirty days from their publication in the Gazette. Any person who has any suggestions to make, may send them to the Director of Industries and Mines, Panaji, on or before the date of expiry of the above period.

In exercise of the powers conferred by sub-section (1) of section 7 of the Goa, Daman and Diu State-Aid to Industries Act, 1965 (Act No. 15 of 1965) the Administrator of Goa, Daman and Diu is pleased to make the following rules namely:—

1. **Short title, extent and commencement.**— (1) These rules shall be called the Goa, Daman and Diu subsidy to Electric Power Consumption (Cottage and Small Scale Industries) Rules, 1968.

(2) They shall apply to the whole of the territory of Goa, Daman and Diu.

(3) They shall come into force at once.

2. **Definitions.**— In these Rules unless the context otherwise requires;—

a) "Small Scale Industries" would mean units as defined by the Government of India, from time to time, and will also include Cottage Industries.

b) "Power" means electric motive power and for which Electricity Department has charged industrial rate.

3. **Eligibility for receiving subsidy.**— i) Subsidy under this scheme shall be granted to all cottage and small scale industries which have a total connected electrical load not exceeding 20 HP excepting (1) Rice Mills, (2) Flour Mills, (3) Laundries, (4) Oil Seeds crushing Mills and (5) Printing of Newspapers.

ii) The subsidy for electric consumption shall be granted on motive power only and not on lighting or heating loans.

4. **Quantum of Subsidy.**—The quantum of subsidy shall be the difference between the actual rate paid and 9 paise per KWH. In no case, however, subsidy higher than 9 paise per KWH shall be paid. The total subsidy payable in any year is subject to the provision made in the budget for that year for this purpose. The final decision will rest with the Director of Industries.

5. **Procedure for Registration.**— (i) Industrial concerns eligible for and desirous of receiving subsidy under these rules shall get their names registered with the Director of Industries, Government of Goa, Daman and Diu, Panaji. The units will be entitled to claim power subsidy for the period from the 1st of the month following the date of registration.

(ii) An application for registration shall be made in the prescribed form given in Schedule I to these rules.

(iii) An application for registration shall be submitted to the Director of Industries and Mines, Government of Goa, Daman and Diu, Panaji.

(iv) Industries Inspector or Industries Extension Officer shall investigate all the applications for registration and submit the same along with necessary details and recommendations to the Director of Industries for approval and grant of registration.

(v) The Director of Industries shall inform the applicants about approval or rejection of the application for registration and shall allot a certain number to each application.

(vi) The Officers concerned on the instructions of the Director of Industries may suggest such alterations and conditions as may be deemed fit for the better operation of the unit and register application subject to the unit carrying out these suggestions.

(vii) Each Small Scale unit registered under these rules shall be inspected by the Officers concerned at least once in a year with a view to verifying bonafides and report to that effect to the Director of Industries.

6. **Disposal of applications for subsidy.**— (i) The small scale units registered under these rules shall present to the officer concerned as mentioned in Rule 6(iii) their application for subsidy in a prescribed form not later than one month after the expiry of each half year period. For the purposes of these rules

the half year period shall begin in the month of June and December respectively. Since the Electricity Department usually bills only after the month is over, the bills and receipts in respect of the power consumed in June to November shall be submitted in the prescribed application form in January and for the power consumption from December to May in July.

(ii) On receipt of these applications the Industries Officer/Industries Inspector shall verify the details in the application and shall return the bills and the receipts to the applicant duly defaced by their rubber stamp.

(iii) Applications for subsidy received later than the date prescribed under rule 7(i) above shall not be considered for payment of subsidy.

7. Manner of Payment.—The subsidy shall be paid in the Office of the Director of Industries on the presentation of the bill duly countersigned by the Director of Industries. The Industries Officer concerned should submit a half yearly statement showing the names of the factories registered, names of the applications for power subsidy received and amount actually drawn by them.

8. (i) Recipient shall furnish periodically if so, required by the Director of Industries, Goa, Daman and Diu, Panaji, such returns as may be prescribed by the said Director in order to enable him to watch the progress of the Industry.

(ii) The recipient of the subsidy shall permit the Director of Industries or any person authorised by him by general or special orders in writing to inspect at all reasonable times the premises, machinery, plant and appliances connected with the industrial undertakings in respect of which the subsidy has been granted and grant reasonable facilities for such inspections.

10. The Director of Industries may reject any application for subsidy for any of the following reasons:

- (i) Application received beyond the prescribed date.
- (ii) Budget provision falls short of the claims.
- (iii) Misrepresentation of the facts of power consumed by a particular unit, on wrongful claim with malafide intentions is brought to notice of Director of Industries.
- (iv) In the opinion of Director of Industries, a particular type of Industry does not need power subsidy.

The decision of the Secretary, Industries and Labour, in this respect shall be final.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. R. Vaze, Under Secretary, Industries and Labour Department.

Panaji, 20th February, 1970.

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SCHEDULE I

Application form for Registration by Small Scale Industries

(Rule No. 5 of the Goa, Daman and Diu Subsidy to electric Power Consumption.)

1. Name and address of the Industrial Undertaking and the year in which the factory was started.
2. Ownership, (whether proprietary, partnership, private limited or public co-operative limited).
3. Names of proprietors, partners, Managing Agents or Board of Directors.
4. a) Fixed capital
b) Working capital
c) Total ...
5. Description and approximate value of Machinery, plant and equipment. (Attach separate sheet if necessary).
6. Average daily employment (workers)
a) Skilled
b) Non-skilled.
7. Manufacturing activities:—

Approximate monthly installed capacity

Name of the manufactured product	Capacity
8. Names of principal articles produced.	Value of last year's production (Rs.)
9. Power requirements in K. W.	
10. Water requirements in gallons per day.	
11. Names of the raw materials required per annum	Quantity Value Whether imported or indigenous

To,
The Director of Industries, ... State.

Copy to:—

The Director,
Small Scale Industries Service Institute,
...

**Fixed capital includes land, buildings, machinery and equipment. If the land and buildings are on lease or rent, their capitalised value should be taken as 150 times the monthly rental value.

(Signature of the applicant)

Date: ...

Place: ...